

REMARKS

In the Office Action, claims 1-28 are pending in the case. The Examiner rejected claims 1-4, 14-19, and 23 under 35 U.S.C. §102(e) in view of USPN 6,538,762 to Terashima et al. (hereinafter Terashima). The Examiner rejected claims 5-7, and 20-22 under 35 U.S.C. §103(a) as being unpatentable over Terashima in view of USPN 6,049,390 to Notredame et al. (hereinafter Notredame). The Examiner rejected claims 8, 9, 24, and 25 under 35 U.S.C. §103(a) as being unpatentable over Terashima in view of USPN 6,310,563 to Har et al. (hereinafter Har). The examiner rejected claims 10-13 and 26-28 under 35 U.S.C. §103(a) over Terashima in view of Har and further in view of Notredame.

CLAIMS REJECTIONS – 35 U.S.C. § 102

Claims 1-4, 14-19, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Terashima. Applicant respectfully submits that Terashima teaches away from the claimed invention. Specifically, Terashima teaches a control circuit that has the sole function of converting the full-color RGB raster data into binary CMYK raster data (see lines 39-41 of column 2, and lines 12-14 of column 4).

The control circuit taught by Terashima consists of a command path 51 and a data path 53. Terashima specifically teaches that command data are only transmitted on the command data path, and data are only transferred on a data path (see column 5 lines 41-45). Terashima notes that a command code and parameter may be transmitted simultaneously with a control circuit command to a command analysis section. However, the command path then must remain idle while data is being received due to the disparity in size between command data and image data. Terashima does not

teach transmitting data of both the compressed and non-compressed data types over each of a plurality of transmission paths.

Document size increases dramatically when images are present. Images, for example, may contain non-compressed data in the form of text and compressed data such as jpeg's. The Terashima command path sits idle while the image is transmitted on the data path. This results in a bottle neck. Although Terashima teaches the transmission of non-compressed command data, no mention is made of transmission of compressed and non-compressed data types. Additionally, both compressed and non-compressed data types would necessarily have to be transmitted over the data path according to Terashima. Conversely, the presently claimed invention teaches multiple data paths upon which various forms of data may be transmitted simultaneously.

The present invention is not limited to RGB raster conversion, but rather may receive and transmit multiple objects for processing. Additionally, the embodied invention is not limited to only a command data and data transfer, but may transfer multiple linework data streams, multiple linework control data streams, or a linework and a linework control data stream. Accordingly, the claimed invention allows one area of an image to contain multiple data types. Each data type may be compressed, transmitted and decompressed separately over a plurality of transmission paths, but then merged and printed simultaneously. Terashima does not teach or disclose multiple simultaneous transmissions of varying data types.

In order to make a *prima facie* case that a prior art reference anticipates a claim under 35 U.S.C. § 102(e), the reference must teach each and every element of the claim. Specifically, a claim is anticipated only if each and every element as set forth in the claims is found in the prior art. Verdegall Gros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.

1987). Additionally, the elements of the claim must also be arranged as required by the claim. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). For the reasons stated above, Applicant asserts that the prior art reference does not teach each and every element of the claimed invention and cannot therefore anticipate the claims of the present invention. Consequently, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn.

CLAIMS REJECTIONS – 35 U.S.C. § 103(a)

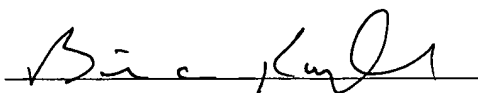
Claims 5-7 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Terashima in view of Notredame. Claims 8, 9, 24, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Terashima in view of Har. Claims 10-13 and 26-28 stand rejected under 35 U.S.C. § 103(a) over Terashima in view of Har and further in view of Notredame. Applicant believes independent claims 1 and 14 to be allowable, and consequently, the claims that depend therefrom. Applicant respectfully requests that the rejection of the dependent claims under 35 U.S.C. § 103(a) be withdrawn and that the listed claims be allowed.

CONCLUSION

As a result of the presented remarks, Applicant asserts that independent claims 1 and 14 are in condition for prompt allowance. Applicant has not specifically traversed the rejections of dependent claims 2-4, 15-19, and 23 under 35 U.S.C. § 102(e) or the rejection of claims 5-7, 8, 9, 10-13, 20-22, 24, 25, and 26-28 under 35 U.S.C. § 103(a), but believes those claims to be allowable for depending from allowable independent claims.

Should additional information be required regarding the traversal of the rejections of the independent and dependent claims enumerated above, the Examiner is respectfully asked to notify Applicant of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian C. Kunzler", is written over a horizontal line.

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: October 30, 2003
10 West 100 South
Suite 450
Salt Lake City, UT 84101
Telephone (801) 994-4646
Fax (801) 322-1054